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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Robert A. Wiedeman

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EXAMINER

EL HADY, NABIL M

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/841,358

Applicant(s)

WIEDEMAN ET AL.

Examiner

Nabil M El-Hady

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2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

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1. Claims 1-18 are pending in this application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 2, 4-6, 9, 11-13, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothblatt (US 6,105,060) in view of Strentzsch et al. (US 6,256,671), hereafter "Strentzsch".
4. As per claim 1, Rothblatt discloses the invention substantially as claimed including a mobile satellite telecommunications system, comprising: at least one user terminal (22, Fig. 1); at least one satellite in earth orbit (24, Fig. 1); and at least one gateway bi-directional coupled to a data communications network ( col. 3, lines 47-53; and 23, Fig. 1); Rothblatt further discloses a message from a one user terminal to the gateway via said at least one satellite (col. 3, lines 47-53; and col. 15, lines 48-51) in order to access the internet.
5. Rothblatt discloses a system gateway that appropriates, frames, and formats the command (user message) for transmission to the internet (col. 16, lines 35-37), which may be interpreted as having a controller for initiating a Domain Name Service (DNS) query in response to a Uniform Resource Locator (URL) received in the message. It would have been obvious to one of ordinary skill in the art at the time of the invention that such a message from the user would normally include either the destination name (URL) or its IP address. The URL of the destination needs to be resolved to find out the corresponding IP address, which is normally done through a Domain Name Service (DNS). A DNS or address resolution request is then issued to determine the IP address associated with the communication message. Equipping a

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gateway with a DNS server or quarrying DNS server by the gateway is not new in the art, and internetworking gateways generally require DNS ability. Strentzsch, for example, in an analogous invention (col. 5, lines 7-16) discloses, in a gateway with DNS proxy (Fig. 2), a controller for initiating a DNS query in response to a URL received in a message from the user (col. 6, line 65 to col. 7, line 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rothblatt and Strentzsch.

Strentzsch's method of initiating a DNS query from the gateway would provide more subtle and secure way to control access to resources on the network (see, for example, Strentzsch, col. 1, lines 42-55).

6. As per claim 9, the claim is rejected for similar reasons as claim 1 above.

7. As per claim 2, Rothblatt does not specifically disclose a DNS server that is co-located with said gateway. Strentzsch discloses a DNS server that is co-located with said gateway (Fig. 2). Equipping a gateway with a DNS server or quarrying DNS server by the gateway is not new in the art, and internetworking gateways generally require DNS ability. Strentzsch, for example, in an analogous invention (col. 5, lines 7-16) discloses a gateway with DNS server (Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rothblatt and Strentzsch. Equipping the gateway with a DNS server as discloses by Strentzsch or using a DNS server as a gateway is the most logical in a network architecture and would provide more subtle and secure way to control access to resources on the network (see, for example, Strentzsch, col. 1, lines 42-55).

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8. As per claims 4 and 11, Rothblatt discloses a mobile satellite telecommunications system wherein said at least one satellite is in a non-geosynchronous orbit (col. 1, lines 39-42; col. 2, lines 43-45; and col. 3, lines 47-50).

9. As per claims 5 and 12, Rothblatt discloses said at least one satellite comprises an on-board processor (OBP) that is responsive to said URL (identification code) for selecting a gateway and for routing said message to said selected gateway (col. 3, lines 47-51; col. 15, lines 46-51; and col. 17, lines 13-15).

10. As per claim 16, the claim is rejected for similar reasons as claims 1, 9, and 12 above.

11. As per claims 6, 13, and 18, Rothblatt discloses LEO transceiver (84, Fig. 5) and LEO Antenna (85, Fig. 5) in order to connect with one or more system gateway (col. 15, lines 46-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include similar transceiver for routing said message through at least one further satellite for appropriate connection with said one or more system gateways.

12. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothblatt in view of Strentzch, and further in view of Blum et al. (US 6,182,141), hereinafter "Blum".

13. As per claims 3 and 10, Strentzch discloses said controller receives an IP address in response to said DNS query (col. 7, lines 26-30). However, Rothblatt and Strentzch do not explicitly disclose replacing said URL with said IP address and forwarding said message to a

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destination server identified by said IP address. The concept of communicating directly with the destination server on behalf of the user through a proxy server (the gateway) is not new in the art. Blum, for example, discloses replacing said URL with said IP address and forwarding said message to a destination server identified by said IP address. (col. 1, lines 24-31; and col. 3, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rothblatt, Strentzch and Blum because Blum's concept would provide the illusion that the user is communicating directly with the destination server (see, Blum, col. 1, lines 29-31), and in the mean time providing subtle and secure way to control access to these destination servers on the network (see, Strentzsch, col. 1, lines 42-55).

14. Claims 7, 8 14, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothblatt in view of Strentzch, and further in view of DeCoursey et al. (US 6,594,706), hereinafter "DeCoursey".

15. As per claims 7, 8, 14, 15, and 17, Rothblatt and Strentzch do not specifically disclose said OBP is responsive to a portion of said URL that identifies a geographical region or a country where a destination server identified by said URL is located, and operates to initiate a routing of said message to a gateway that serves said identified geographical region or a country. DeCoursey, on the other hand, discloses the concept of routing a message over a telecommunications system containing both satellite and ground-based elements. The messages are routed to gateways based on an identified geographical region or a country where a destination server is located (col. 1, lines 18-20; col. 2, lines 65-66; and col. 8, lines 3-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Rothblatt, Strentzch and DeCoursey, because DeCoursey's

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concept would provide not only a faster service but also better customized service (see, for example, DeCoursey, col. 1, line 55 to col. 2, line 5).

16. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

17. In response to applicant's argument that "Blum", or other references, is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the concepts that are under investigation can work with any network system including systems with partial satellite communications.

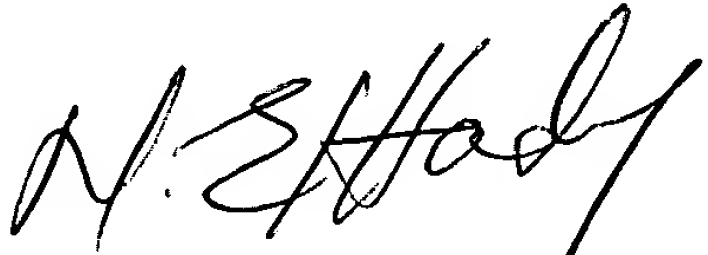
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 5, 2005

  
Nabil El-Hady, Ph.D, M.B.A.  
Primary Patent Examiner  
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